

**REMARKS**

Claims 1-59 are pending and stand ready for further action on the merits.

Claims 1 and 6-8 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 8-10 of USP 6,528,387 (hereinafter the '387 patent).

Applicants respectfully submit that there are significant patentable distinctions between the inventive claims 1 and 6-8 and claims 1 and 8-10 of the '387 patent. However, in order to advance prosecution, Applicants have attached hereto a Terminal Disclaimer over the '387 patent. Accordingly, this rejection is rendered moot.

***Conclusion***

In view of the above comments, Applicants respectfully submit that the claims are in condition for allowance. A Notice to such effect is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D. (Reg. No. 43,575) at the telephone number of the undersigned below, to conduct an


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interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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